

Appellate Docket Number: 01-18-00930-CR Appellate Case Style: Kyle Dean Kuykendall Vs. State of Texas
Companion Case(s):

Amended/Corrected Statement

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
10/26/2018 1:31:10 PM
CHRISTOPHER A. PRINE
Clerk

DOCKETING STATEMENT (Criminal)

Appellate Court: 1st Court of Appeals

(to be filed in the court of appeals upon perfection of appeal under FRAP 9)

I. Appellant	III. Appellee
Name: Kyle Dean Kuykendall Appellant Incarcerated? <input checked="" type="checkbox"/> Yes No Bond Amount: N/A Pro Se <i>If Pro Se Party, enter the following information:</i> Address: City/State/Zip: Tel. Ext. Fax: Email:	Name: State of Texas Appellee Incarcerated? Yes No Bond Amount: N/A Pro Se <i>If Pro Se Party, enter the following information:</i> Address: City/State/Zip: Tel. Ext. Fax: Email:
II. Appellant Attorney(s)	IV. Appellee Attorney(s)
Lead Attorney Appointed Name: M. Patrick Maguire Bar No. 24002515 Firm/Agency: M. Patrick Maguire, P.C. Address 1: 945 Barnett Street Address 2: City/State/Zip: Kerrville, Texas 78028 Tel. (830) 895-2590 Ext. Fax: (830) 895-2594 Email: mpmlaw@ktc.com	Lead Attorney District/County Attorney Name: Scott Monroe Bar No. 14272700 Firm/Agency: 198th Judicial District Attorney Address 1: 402 Clearwater Paseo, Suite 500 Address 2: City/State/Zip: Kerrville, Texas 78028 Tel. (830) 315-2460 Ext. Fax: (830) 315-2461 Email: scottm@198da.com
Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:	Lead Attorney Select Name: Bar No. Firm/Agency: Address 1: Address 2: City/State/Zip: Tel. Ext. Fax: Email:

V. Perfection of Appeal, Judgment and Sentencing

Nature of Case (Subject Matter or Type of Case):

Obstructing Gov't Operations

Type of Judgment:

Bench Trial

Date Trial Court imposed or suspended sentence in open court or date Trial Court entered appealable order:

Offense Charged:

Bail Jumping & Failure to Appear

Date of Offense: November 30, 2015

Defendant's Plea: Guilty

If guilty, does defendant have the Trial Court's Certificate to Appeal? ☒ Yes ☐ NoWas the Trial by: ☐ Jury ☒ Non-Jury

Date Notice of Appeal filed in Trial Court:

August 31, 2016

If mailed to the Trial Court clerk, also give the date mailed:

Punishment Assessed:

10 years imprisonment

Is the Appeal from the pre-trial order? ☐ Yes ☒ No

Does the Appeal involve the constitutionality or the validity of a statute, rule or ordinance?

☐ Yes ☒ No**VI. Actions Extending Time To Perfect Appeal**Motion for New Trial: ☐ Yes ☒ No If yes, date filed:Motion in Arrest of Judgment: ☐ Yes ☒ No If yes, date filed:Other: ☐ Yes ☒ No If yes, date filed:

If Other, please specify:

VII. Indigency of Party (Attach file stamped copy of Motion and Affidavit)Motion and Affidavit filed: ☐ Yes ☐ No ☒ N/A If yes, date filed:Date of Hearing: ☒ N/ADate of Order: ☒ N/ARuling on Motion: ☐ Granted ☐ Denied ☒ N/A If granted or denied, date of ruling:

VIII. Trial Court and Record

Court: 198th Judicial District Court

County: Kerr

Trial Court Docket No. (Cause No.):
B15-684

Trial Court Judge (who tried or disposed of the case):

Name: Rex Emerson

Address 1: 700 Main Street

Address 2:

City/State/Zip: Kerrville, Texas 78028

Tel. (830) 792-2290 Ext.

Fax: (830) 792-2294

Email: cmc@co.kerr.tx.us

Clerk's RecordTrial Court Clerk: ☒ District CountyWas Clerk's record requested?: ☒ Yes No

If yes, date requested: August 31, 2018

If no, date it will be requested:

Were payment arrangements made with clerk?

Yes No ☒ Indigent**Reporter's or Recorder's Record**Is there a Reporter's Record? ☒ Yes NoWas Reporter's Record requested?: ☒ Yes No

If yes, date requested: August 31, 2018

If no, date it will be requested:

Was the Reporter's Record electronically recorded? Yes ☒ NoWere payment arrangements made with the court reporter/court recorder? Yes No ☒ Indigent☐ Court Reporter ☐ Court Recorder
☒ Official ☐ Substitute

Name: Paula M. Beaver

Address 1: P.O. Box 233

Address 2:

City/State/Zip: Comfort, Texas 78013

Tel. (830) 537-4724 Ext.

Fax: (830) 537-4724

Email: paulabeaver2@aol.com

Court Reporter
OfficialCourt Recorder
Substitute

Name:

Address 1:

Address 2:

City/State/Zip:

Tel.

Ext.

Fax:

Email:

IX. Related Matters

List any pending or past related appeals before this, or any other Texas Appellate Court, by Court, Docket, and Style.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

Court: Select Appellate Court

Docket:

Style:

Vs.

X. Signature

Signature of counsel (or Pro Se Party)

M. Patrick Maguire

Printed Name

Electronic Signature (Optional)

October 26, 2018

Date

24002515

State Bar No.

M. Patrick Maguire

Name

XI. Certificate of Service

The undersigned counsel certifies that this Docketing Statement has been served on the following lead counsel for all parties to the Trial Court's Order or Judgment as follows:

Signature of counsel (or Pro Se Party)

24002515

State Bar No.

Electronic Signature (Optional)

Certificate of Service Requirements (TRAP 9.5(e)): A certificate of service must be signed by the person who made the service and must state:

- (1) the date and manner of service;
- (2) the name and address of each person served, and
- (3) if the person served is a party's attorney, the name of the party represented by the attorney.

Please enter the following for each person served:

Date Served: October 26, 2018

Manner Served: eServe

Name: Scott Monroe

Bar No. 14272700

Firm/Agency: 198th Judicial District Attorney

Address 1: 402 Clearwater Paseo, Suite 500

Address 2:

City/State/Zip: Kerrville, Texas 78028

Tel. (830) 315-2460 Ext.

Fax: (830) 315-2461

Email: scottm@198da.com

Date Served:

Manner Served: Select

Name:

Bar No.

Firm/Agency:

Address 1:

Address 2:

City/State/Zip:

Tel. Ext.

Fax:

Email: